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COMMISSION ON HUMAN RIGHTS
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Agenda item 6

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

Colombia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) and China: draft resolution

1997/... Right to development

The Commission on Human Rights,

Guided by the Charter of the United Nations, expressing in particular the determination to promote social progress and better standards of life in larger freedom as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling that the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986 confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals, who make up nations,

Noting that the World Conference on Human Rights reaffirmed the right to development as a universal and inalienable right and an integral part of all fundamental human rights,

Noting also that the human person is the central subject of development and that development policy should therefore make the human being the main participant and beneficiary of development,

Emphasizing that all human rights are universal, indivisible and interdependent and interrelated; the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis; while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Underlining the fact that realization of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Underlining also that the implementation of the Declaration on the Right to Development requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations systems and of non-governmental organizations active in this field,

Recalling its resolution 1996/15 of 11 April 1996, in which it decided to establish an intergovernmental group of experts with a mandate to elaborate a strategy for the implementation and promotion of the right to development, and General Assembly resolution 51/99 of 12 December 1996,

Recognizing that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and that the realization of the right to development requires full respect for the principles of international law concerning friendly relations and cooperation among States in accordance with the Charter of the United Nations,

Recalling the need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

Underlining the important role of the High Commissioner for Human Rights in the promotion and protection of the right to development, as mandated in paragraph 4 (c) of General Assembly resolution 48/141,

Recognizing the need for the Intergovernmental Group of Experts to implement its mandate in all its aspects,

Taking into account the conclusions reached by the Intergovernmental Group of Experts on international and national aspects of the right to development,

Noting with concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes and national development strategies and policies and activities of international organizations,

Mindful of the close relationship between disarmament and development, that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples and, in particular, those of the developing countries,

Affirms the need to apply a gender perspective in the implementation of the right to development, inter alia by ensuring that women play an active role in the development process,

General

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of their fundamental human rights;

2. Recognizes that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

States

3. Urges all States to eliminate all obstacles to development at all levels by pursuing the promotion and protection of economic, social, cultural, civil and political rights and by implementing comprehensive development programmes at the national level, integrating these rights into development activities, and by promoting effective international cooperation;

4. Also urges all States to further promote the right to development as a vital element in a balanced human rights programme;

5. Requests the High Commissioner for Human Rights to:

(a) Examine ways and means to provide the Declaration on the Right to Development with a profile commensurate with its importance;

(b) Disseminate the present resolution to all Governments, intergovernmental organizations, non-governmental organization, members of treaty bodies and academic institutions, inviting views on ways and means as specified in subparagraph (a) above, including the Declaration's relationship with important human rights instruments, such as those constituting the International Bill of Human Rights;

6. Reaffirms the need for States to cooperate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all, without any distinction as to race, sex, language or religion;

High Commissioner for Human Rights

7. Calls upon the High Commissioner to continue to accord priority to the right to development and provide commensurate support in terms of staff, services and resources for its programmatic follow-up, within his mandate;

8. Requests the High Commissioner to ensure widespread dissemination and promotion of the Declaration on the Right to Development, in close cooperation with States and intergovernmental organizations, national institutions, academia and interested non-governmental organizations worldwide, inter alia through workshops and seminars;

9. Recommends that activities being organized as part of the celebration of the fiftieth anniversary of the Universal Declaration of Human Rights should, inter alia, project the role and importance of the right to development;

10. Invites the High Commissioner to continue to consult regularly, on a formal or informal basis, with all States on the follow-up to the Declaration on the Right to Development and to request them to inform the High Commissioner of their efforts to implement the Declaration;

11. Notes that the High Commissioner for Human Rights has initiated a dialogue with the World Bank with regard to the right to development, and in this connection stresses that:

(a) Such a dialogue should contribute to identifying the obstacles to the full implementation of the Declaration on the Right to Development;

(b) Such discussions should contribute to initiatives, policies, programmes and activities that promote the right to development;

(c) Such discussions should also focus on mainstreaming a gender perspective in the implementation of the Declaration on the Right to Development regarding developing assistance;

(d) And calls upon the High Commissioner to inform Member States on a regular basis through informal meetings on the progress of the dialogue;

12. Welcomes the initiative of the High Commissioner to organize regional seminars, and calls upon the High Commissioner to ensure that such seminars focus on all aspects of the realization of the right to development;

Working Group of Intergovernmental Experts

13. Notes the procedures adopted by the Working Group of Intergovernmental Experts in conduct of its work during its first session and the report (E/CN.4/199) it submitted to the Commission on Human Rights at its fifty-third session and calls upon the Working Group to:

(a) Encourage participation of Member States, international institutions and non-governmental organizations in its deliberations, inter alia through a greater use of public meetings;

(b) Continue to implement its mandate contained in Commission on Human Rights resolution 1996/15, namely the elaboration of a strategy for the implementation and promotion of the right to development as set forth in the Declaration on the Right to Development;

(c) Continue to give due consideration to recommendations for the elimination of obstacles already identified to the realization of the right to development;

(d) Continue to explore ways and means for the promotion of international cooperation, dialogue and partnership for the realization of the right to development;

(e) Give due consideration to the possibility of establishing a follow-up mechanism, or enhancing existing ones, to the Declaration on the Right to Development;

14. Requests the Secretary-General to submit to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fourth session a comprehensive report on the implementation of the various provisions of the present resolution.